



Atty. Dkt. No. 071949-7002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Buechler et al.  
Title: METHODS AND  
COMPOSITIONS FOR  
MEASURING BIOLOGICALLY  
ACTIVE NATRIURETIC  
PEPTIDES AND FOR  
IMPROVING THEIR  
THERAPEUTIC POTENTIAL

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| <p><b>CERTIFICATE OF MAILING</b><br/>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Nancy V. McElrath</u><br/>(Printed Name)</p> <p><u>Nancy V. McElrath</u><br/>(Signature)</p> <p><u>12-6-05</u><br/>(Date of Deposit)</p> |
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Appl. No.: 10/645,874

Filing Date: 08/20/2003

Examiner: Unassigned

Art Unit: 1645

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment-IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR

§1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English. The documents being submitted were cited on a PTO-892 in related U.S. Application No. 10/139,086, filed May 4, 2002.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 12/06/2005

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Substitute for form 1449B/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Application Number 10/645,874  
 Filing Date 8/20/2003  
 First Named Inventor Kenneth F. Buechler  
 Group Art Unit 1645  
 Examiner Name Unassigned  
 Attorney Docket Number 071949-7002

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
|                    |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
|                    | A1                    | 5,206,140            |                                   | Marder et al.                                   | 04-27-1993                                       |   |
|                    | A2                    | 6,309,888            |                                   | Holvoet et al.                                  | 10-30-2001                                       |   |
|                    | A3                    | 6,461,828            |                                   | Stanton et al.                                  | 10-08-2002                                       |   |

**U.S. PATENT APPLICATION DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Application Document |                                   | Name of Patentee or Applicant of Cited Document | Filing Date of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------------------|-----------------------------------|---|--|---|
|                    |                       | Serial Number                    | Kind Code <sup>2</sup> (if known) |   |  |   |
|                    |                       |                                  |                                   |   |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--|--|---|----------------|
|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |  |  |   |                |
|                    |                       |                         |                     |                                   |  |  |   |                |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|--------------------|-----------------------|--|----------------|
|                    | A4                    | FONAROW et al., "Combining Natriuretic Peptides and Necrosis Markers in Determining Prognosis in Heart Failure," Reviews in Cardiovascular Medicine, 2003, Suppl. 4, Vol. 4  |                |
|                    | A5                    | RICHARDS et al., "Neuroendocrine prediction of left ventricular function and heart failure after acute myocardial infarction," Heart, 1999, pp. 114-120, Vol. 81   |                |
|                    | A6                    | SAADY et al., "Left appendage: structure function, and role in thromboembolism," Heart, 1999, pp. 547-555, Vol. 82   |                |

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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